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EXAMINER

LASTRA, DANIEL

ART UNIT PAPER NUMBER

3622

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/606,575

Applicant(s)

PATHRIA ET AL.

Examiner

DANIEL LASTRA

Art Unit

3622

-- Th MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5,6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

1. Claims 1-46 have been examined.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-46 are rejected under 35 U.S.C. 102(b) as being anticipated by Prezioso (U.S. 5,577,169).

As per claim 1, Prezioso teaches:

A computer implemented method of generating an enhanced profile of an individual entity, the profile including for each member of the individual entity, a single observation having at least one variable describing historical transactions pertaining to that member, the method comprising:

generating at least one single entity profile of an individual entity having individual members, from historical transactions of the members of the individual entity (see column 1, lines 55-61);

generating at least one multiple entity profile of at least one multiple entity defined by a combination including individual entities, from historical transactions that include the members of each of the individual entities included in a multiple entity (see background of the invention); and

enhancing at least one single entity profile using at least one multiple entity profile to generate the enhanced profile (see columns 7-9).

As per claim 2, Prezioso teaches,

The method of claim 1, wherein enhancing at least one single entity profile using at least one multiple entity profile further comprises:

merging at least one multiple entity profile with at least one individual entity profile that have a common member to produce a merged profile (see background of the invention); and

rolling up a merged profile with respect to a selected one of the individual entities to produce the enhanced profile (see background of the invention).

As per claim 3, Prezioso teaches:

The method of claim 1, further comprising:

providing at least one of a single entity profile, an enhanced profile, or a multiple entity profile as an input into a predictive model for predicting a transaction pertaining to an entity included in the profile (see background of the invention and summary of the invention).

As per claim 4, Prezioso teaches:

The method of claim 1, further comprising:

providing at least one of a single entity profile, an enhanced profile, or a multiple entity profile as an input into a profile of a different entity (see summary of the invention).

As per claim 5, Prezioso teaches:

The method of claim 1, further comprising:

deriving from at least one of a single entity profile, an enhanced profile, or a

multiple entity profile statistics which summarize transactions pertaining to an entity included in the profile (see column 6).

As per claim 6, Prezioso teaches:

The method of claim 1, wherein each profile includes a plurality of variables, and generating at least one single entity profile of an individual entity having individual members further comprises: for each member of an entity:

determining a peer group of the member and normalizing at least one profile variable of the entity with respect to the member's distance from other members in the member's peer group (see column 6).

As per claim 7, Prezioso teaches:

The method of claim 3, wherein a member's peer group is determined by a declared specialty of the member (see column 6, lines 22-32).

As per claim 8, Prezioso teaches:

The method of claim 3, wherein a member's peer group is determined by transactions engaged in by the member (see column 6).

As per claim 9, Prezioso teaches:

The method of claim 1, wherein the entities are healthcare related entities (see column 6, lines 22-32).

As per claim 10, Prezioso teaches:

The method of claim 1, wherein the entities include a healthcare providers and patients (see column 6, lines 22-32).

As per claim 11, Prezioso teaches:

The method of claim 1, wherein the entities include a healthcare related facility (see column 6, lines 22-32).

As per claim 12, Prezioso teaches:

The method of claim 1, wherein the entities include healthcare claims processor (see column 6).

As per claim 13, Prezioso teaches:

The method of claim 10, wherein at least one multiple entity is a combination of a provider and a patient (see column 6).

As per claim 14, Prezioso teaches:

The method of claim 10, wherein an entity profile of a provider entity includes a procedure mix variable that measures a relative amount of activity a provider member has in each of a plurality of procedure categories (see column 8, lines 54-63).

As per claim 15, Prezioso teaches:

The method of claim 14, wherein the amount of activity is relative to each provider member's peers (see column 8, lines 54-63).

As per claim 16, Prezioso teaches:

The method of claim 14, wherein the procedure categories are defined by ICD9 codes (see column 7, lines 29-41).

As per claim 17, Prezioso teaches:

The method of claim 14, wherein the procedure categories are defined by a clustering process on provider or patient historical transactions (see column 8, lines 54-64).

As per claim 18, Prezioso teaches:

The method of claim 10, wherein an entity profile of a provider entity includes an age group concentration variable that measures activity of a provider member in each of a plurality of patient age groups relative to the provider member's peers (see column 8, lines 54-64).

As per claim 19, Prezioso teaches:

The method of claim 10, wherein an entity profile of a provider entity includes a single-day activity variable that measures a frequency and magnitude of very-high activity days of a provider member (see column 8, lines 54-64).

As per claim 20, Prezioso teaches:

The method of claim 10, wherein an entity profile of a provider entity includes a monthly activity variable that measures monthly activity of a provider member (see column 8, lines 54-64).

As per claim 21, Prezioso teaches:

The method of claim 20, wherein the monthly activity measure is a distribution of monthly activity of a provider member relative to the provider member's peers (see columns 7-8).

As per claim 22, Prezioso teaches:

The method of claim 10, wherein an entity profile of a provider entity includes a quarterly activity variable that measures quarterly activity of a provider member (see column 7, lines 51-59).

As per claim 23, Prezioso teaches:

The method of claim 10, wherein an entity profile of a provider entity includes a group practice participation variable that identifies providers that are part of a group practice (see column 13, lines 7-41).

As per claim 24, Prezioso teaches:

The method of claim 10, wherein an entity profile of a provider entity includes a client consecutive visit variable that measures a frequency with which a same member of a client entity visits a same provider member in a selected period of time (see column 8, lines 54-64).

As per claim 25, Prezioso teaches:

The method of claim 10, wherein an entity profile of a provider entity includes a per-day activity variable that measures a provider member's daily activity level, according to at least one of: number of services per day, total dollars-paid per day, number of clients per day, total dollars-per-client per day or number-of-services-per-client per day (see column 8, lines 54-64).

As per claim 26, Prezioso teaches:

The method of claim 10, wherein an entity profile of a provider entity includes a per-client activity variable that measures a provider member's activity level with respect to individual client entity members over a selected time period (see column 8, lines 54-64).

As per claim 27, Prezioso teaches:

The method of claim 10, wherein an entity profile of a provider entity includes a multiple providers activity variable that measures, for each provider member, the

activity of other provider members who provide services to clients of the provider member on a same day that the provider member provides services (see column 8).

As per claim 28, Prezioso teaches:

The method of claim 10, wherein an entity profile of a provider entity includes a ratio of procedure categories variable that measures for a provider member at least one ratio of one category of service provided by the provider member to another category of service provided by the provider member (see column 9, lines 18-33).

As per claim 29, Prezioso teaches:

The method of claim 10, wherein an entity profile of a client includes a variable that measures an activity level of a non-repeatable service provided to a client member (see column 8).

As per claim 30, Prezioso teaches:

The method of claim 10, wherein an entity profile of an entity includes a variable that describes transactions of entity members with respect to the order of the transactions over time (see column 8).

As per claim 31, Prezioso teaches:

A computer implemented method of generating a profile of an entity, the profile including for each member of the entity, a single observation having at least one variable describing historical transactions pertaining to that member, the method comprising:

a direct profile process that generates a direct profile of an entity having members, from historical transactions of the members of the entity (see background of

the invention);

multiple applications of the direct profile process with respect to distinct entities, including at least one multiple entity comprising a combination of individual entities, to produce respective individual and multiple entity profiles (see columns 7-9);

an enhance process that enhances the profile of a first entity using a profile of a second entity (see column 7-9); and

at least one application of the enhance process to enhance the profile of a multiple entity with the profile of a single entity by combining observations in the multiple entity profile that have a common member in the single entity profile (see columns 12-13).

As per claim 32, Prezioso teaches:

A computer implemented method of generating an enhanced profile of a 1st entity, the 1st entity having a plurality of members, the enhanced profile of the 1st entity including for each member of the 1st entity, a single observation having at least one variable describing historical transactions pertaining to that member, the method comprising:

a direct profile process that generates a direct profile of an entity having members, from historical transactions of the members of the entity (see background of the invention);

an enhance process that enhances the profile of an entity using a profile of another entity by combining portions of observations of the entities that have a common member (see columns 6-7);

multiple applications of the direct profile process with respect to the 1st , 2nd and 3rd entities to produce respective 1st , 2nd , and 3rd profiles, wherein the 3rd entity is a combination of the 1st and 2nd entities (see columns 6-7);

an application of the enhance process on the profile of the 3rd entity with the profile of the 2nd entity to produce an enhanced 3rd entity profile (see column 8); and

an application of the enhance process on the profile of the 1st entity with the enhanced profile of the 3rd entity (see column 8).

As per claim 33, Prezioso teaches

A computer implemented system of generating an enhanced profile of a 1st entity, the 1st entity having a plurality of members, the enhanced profile of the 1st entity including for each member of the 1st entity, a single observation having at least one variable describing historical transactions pertaining to that member, the method comprising:

direct profile means for generating a direct profile of an entity having members, from historical transactions of the members of the entity (see background of the invention);

enhancing means for enhancing the profile of an entity using a profile of another entity by combining portions of observations of the entities that have a common member (see column 8);

and means for applying the direct profile means and the enhancing means in parallel and serial applications with respect to 1st , 2nd , and 3rd entities to produce respective 1st, 2nd , and 3rd profiles, wherein the 3rd entity is a combination of the 1st

Art Unit: 3622

and 2nd entities to produce direct profiles of the 1st , 2nd , and 3rd entities, and to enhance the profiles of the 1st entity using profiles of the 2nd and 3rd entities (see columns 7-9).

As per claim 34, Prezioso teaches:

A computer implemented system of generating a profile of a entity, the 1st entity having a plurality of members, the enhanced profile of the 1st entity including for each member of the 1st entity, a single observation having at least one variable describing historical transactions pertaining to that member, the method comprising:

generating a 1st profile of a combination of a 1st and 2nd entity, from historical transactions pertaining to both the 1st and 2nd entities, the 1st profile including one observation for each combination of a member of the 1st entity and a member of the 2nd entity (see columns 7-9);

generating a 2nd profile of a combination of the 2nd and a 3rd entity, from historical transactions pertaining to both the 2nd and 3rd entities, the 2nd profile including one observation for each combination of a member of the 2nd entity and a member of the 3rd entity (see columns 7-9); and

enhancing the 1st profile using the observations of the 2nd profile that have a same member of the 1st entity and the 2nd entity, to describe a statistical relationship between the 1st entity and the 3rd entity (see columns 7-9).

As per claim 35, Prezioso teaches:

A computer implemented method of generating a profile of an entity, comprising:

generating a profile of a 1st entity (see columns 7-9);

generating a profile of at least one 2nd entity that interacts with the 1st entity through transactions with the 1st entity (see columns 7-9);

generating a profile of at least one 3rd entity comprising the combination of the 1st and 2nd entity (see columns 7-9); and

enhancing the profile of the 1st entity with the profile of at least one 3rd entity (see column 7-9).

As per claim 36, Prezioso teaches:

A computer implemented method of generating a profile of an entity, comprising:

deriving a 1st profile of a 1st entity using transactions of the 1st entity (see background of the invention);

deriving a 2nd profile of a 2nd entity that interacts with the 1st entity through transactions with the 1st entity (see columns 7-9);

merging the 1st and 2nd profiles to create a merged profile (see column 8);

deriving a new variable from other variables of the merged profile (see column 8);

rolling up the merged profile with respect to the new variable (see columns 8-9).

As per claim 37, Prezioso teaches:

A computer implemented method of generating a profile of an entity, comprising:

generating a profile of a 1st entity from historical transactions of the 1st entity, the profile containing a plurality of variables (see columns 8-9);

receiving new transactions of the 1st entity (see columns 8-9); and

updating at least one variable of the profile of the 1st entity using only the at least one profile variable and the new transactions, without using the historical

transactions from which the profile was generated (see columns 8-9).

As per claim 38, Prezioso teaches:

A computer implemented method of updating a profile of an entity, the profile including for each member of the entity, a single observation having at least one variable describing historical transactions pertaining to that member, the method comprising:

performing with respect to multiple distinct entities, multiple applications of a direct profile process that generates a direct profile of an entity having members, from historical transactions of the members of each of the entities, including at least one multiple entity comprising a combination of individual entities, to produce respective individual and multiple entity profiles (see columns 7-9);

at least one application of an enhance process to enhance the profile of a multiple entity with the profile of a single entity by combining observations in the multiple entity profile that have a common member in the single entity profile; and

receiving new transactions of the multiple entity (see columns 7-9); and

updating at least one variable of the profile of the multiple entity using only the at least one profile variable and the new transactions, without using the historical transactions from which the profile of the multiple profile was generated (see columns 7-9).

As per claim 39, Prezioso teaches:

A computer implemented method of generating a profile of a first entity, the profile including for each member of the first entity, a single observation having at

least one variable describing historical transactions pertaining to that member, the method comprising:

generating a first profile of the entity from historical transactions pertaining to the first entity, the first profile including one observation for each member of the first entity, the observation having at least one variable summarizing the historical transactions of the member of the first entity (see background of the invention);

generating a second profile of a second entity from historical transactions pertaining to the second entity, the second profile including one observation for each member of the second entity, the observation including at least one variable summarizing the historical transactions of the member of the second entity (see columns 7-9);

generating a third profile of a third entity comprising a combination of the first and second entity, from historical transactions pertaining to both the first and second entities, the third profile including one observation for each combination of a member of the first entity and a member of the second entity, the observation including at least one variable describing the transactions of the member of the first entity with respect to the member of the second entity (see columns 7-9);

enhancing the third profile using the second profile by combining at least a portion of observations from the second profile with observations from the third profile that have a same member of the second entity, to produce an enhanced third profile (see columns 7-9);

and enhancing the first profile using the enhanced third profile by combining at

least a portion of observations from the third profile with observations from the first profile that have a same member of the first entity, to produce an enhanced first profile (see columns 7-9).

As per claim 40, Prezioso teaches:

The method of claim 39, wherein enhancing the first profile using the enhanced third profile comprises:

merging the observations from the first profile with observations of the enhanced third profile that have a same member of the first entity (see columns 7-10); and

for each member of the first entity, rolling up all observations in the first profile for the member into a single observation having at least one variable describing interactions of the member of the first entity with respect to other members of the first entity (see columns 7-10).

As per claim 41, Prezioso teaches:

The method of claim 39, wherein enhancing the third profile using the first profile by combining observations from the first profile with observations from the third profile that have a same member of the first entity, further comprises:

merging the observations of the third profile with observations of the first profile that have a same member of the first entity (see columns 7-10); and

rolling up the observations in the merged third profile with respect to each member of the first entity, to produce the enhanced third profile containing one observation for each member of the first entity, the observation including at least one variable describing the interaction of the member of the first entity with respect to

members of the second entity (see columns 7-10).

As per claim 42, Prezioso teaches:

A computer implemented method of generating a profile of a Target entity, the profile including for each member of the Target entity, a single observation having at least one variable describing historical transactions pertaining to that member, the method comprising:

generating a Target profile of the Target entity from historical transactions pertaining to the Target entity, the Target profile including one observation for each Target entity member, the observation having at least one variable summarizing the historical transactions of the Target entity member (see columns 7-10);

generating an entity A profile of a second entity A from historical transactions to pertaining to entity A, the entity A profile including one observation for each entity A member, the observation including at least one variable summarizing the historical transactions of the entity A member (see columns 7-10);

generating a T/A profile of a T/A entity comprising a combination of the Target entity and entity A, from historical transactions pertaining to both the Target entity and A entity, the T/A profile including one observation for each combination of a Target entity member and an entity A member, the observation including at least one variable describing the transactions of the Target entity member with respect to the entity A member (see columns 7-9);

enhancing the T/A profile using the entity A profile by combining observations from the T/A profile with observations from the entity A profile that have a same entity

member, to produce an enhanced T/A profile (see columns 7-9); and

enhancing the Target entity profile using the enhanced T/A profile by combining observations from the Target profile with observations from the T/A profile that have a same entity member, to produce the Target entity profile (see columns 7-9).

As per claim 43, Prezioso teaches:

The method of claim 42, wherein enhancing the Target entity profile using the enhanced T/A profile further comprises:

merging the observations from the Target profile with observations of the enhanced T/A profile that have a same entity member (see columns 7-10); and

for each entity member of the Target entity, rolling up all observations in the Target profile for the entity member into a single observation having at least one variable describing interactions of the Target entity member with respect to other Target entity members (see columns 7-10).

As per claim 44, Prezioso teaches:

The method of claim 42, wherein enhancing the T/A profile using the entity A profile further comprises:

merging the observations of the T/A profile with portions of the observations of the entity A profile that have a same entity member (see columns 7-10); and

rolling up the observations in the merged T/A profile with respect to each entity A member, to produce the enhanced T/A profile containing one observation for each entity A member, the observation including at least one variable describing the interaction of the T/A entity member with respect to entity A members (see columns 7-

10).

As per claim 45, Prezioso teaches:

A computer implemented method of generating a profile of a first entity, the profile including for each member of the first entity, a single observation having at least one variable describing historical transactions pertaining to that member, the method comprising:

generating a first profile of the entity from historical transactions pertaining to the first entity, the first profile including one observation for each member of the first entity, the observation having at least one variable summarizing the historical transactions of the member of the first entity (see background of the invention);

generating a second profile of a second entity from historical transactions pertaining to the second entity, the second profile including one observation for each member of the second entity, the observation including at least one variable summarizing the historical transactions of the member of the second entity (see columns 7-10);

generating a third profile of a third entity comprising a combination of the first and second entity, from historical transactions pertaining to both the first and second entities, the third profile including one observation for each combination of a member of the first entity and a member of the second entity, the observation including at least one variable describing the transactions of the member of the first entity with respect to the member of the second entity (see columns 7-10);

generating a fourth profile of a fourth entity from historical transactions pertaining

to the fourth entity, the fourth profile including one observation for each member of the fourth entity, the observation including at least one variable summarizing the historical transactions of the member of the fourth entity (see columns 7-10);

generating a fifth profile of a fifth entity comprising a combination of the first and fourth entity, from historical transactions pertaining to both the first and fourth entities, the fifth profile including one observation for each combination of a member of the first entity and a member of the fourth entity, the observation including at least one variable describing the transactions of the member of the first entity with respect to the member of the fourth entity (see columns 7-10);

enhancing the third profile using the first profile by combining observations from the first profile with observations from the third profile that have a same member of the first entity, to produce an enhanced third profile (see columns 7-10);

enhancing the fifth profile using the first profile by combining observations from the first profile with observations from the fifth profile that have a same member of the first entity, to produce an enhanced fifth profile (see columns 7-10); and

enhancing the first profile using the enhanced third profile and the enhanced fifth profile (see columns 7-10).

As per claim 46, Prezioso teaches:

The computer implemented method of claim 45, wherein enhancing the first profile using the enhanced third profile and the enhanced fifth profile further comprises:

merging the observations from the first profile with observations of the enhanced third profile that have a same member of the first entity (see columns 7-9);

merging the observations from the first profile with observations of the enhanced fifth profile that have a same member of the first entity (see columns 7-9); and

for each member of the first entity, rolling up all observations in the first profile for the member into a single observation having at least one variable describing interactions of the member of the first entity with respect to other members of the first entity (see columns 7-9).

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL LASTRA whose telephone number is 703-306-5933. The examiner can normally be reached on 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ERIC W STAMBER can be reached on 703-305-8469. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

D.L.

Daniel Lastra
July 11, 2003



MELANIE A. KEMPER
PRIMARY EXAMINER